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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

PATRICK CONNALLY, ET AL.,

No. C 04-03479 JCS

Plaintiff(s),

**ORDER OF DISMISSAL**

v.

MARIN EXPRESS LUBE, ET AL.,

Defendant(s).

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The parties hereto, by their counsel, having advised the Court that they have agreed to a settlement of this cause,

IT IS HEREBY ORDERED that this cause be dismissed with prejudice; provided, however, that if any party hereto shall certify to this Court, within forty-five (45) days, with proof of service of a copy thereon to opposing counsel, that the agreed consideration for said settlement has not been delivered over, the foregoing Order shall stand vacated and this cause shall forthwith be restored to the calendar to be set for trial.

IT IS SO ORDERED.

Dated: June 22, 2005

/s/ Joseph C. Spero  
JOSEPH C. SPERO  
United States Magistrate Judge